

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

PEOPLE FOR THE ETHICAL  
TREATMENT OF ANIMALS,  
MADELINE KRASNO, and RYAN  
HARTKOPF,

Appellants,

v.

LAWRENCE A. TABAK, in his  
official capacity as Acting Director of  
the National Institutes of Health, and  
XAVIER BECERRA, in his official  
capacity as Secretary of the U.S.  
Department of Health and Human  
Services,

Appellees.

Case No. 23-5110

**APPELLANTS' STATEMENT OF ISSUES**

Pursuant to this Court's order dated May 16, 2023, Appellants present the following issue on appeal:

Whether the district court erred in ruling that the National Institutes of Health ("NIH") does not violate the First Amendment when it uses keyword blocking to prevent comments critical of the NIH's involvement in animal testing from appearing publicly on the NIH's Facebook page and Instagram account.

Dated: June 15, 2023

Respectfully submitted,

/s/ Stephanie Krent

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